

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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KARI C., on behalf of herself, her family, and all others  
similarly situated,

*Plaintiffs,*

09-CV-6367 L

APRIL M., on her own behalf and on behalf of all others  
similarly situated,

*Plaintiff-Intervenor, \_\_\_\_\_*

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- against -

KATHRYN A. MULLER, as Commissioner of the Steuben  
County Department of Social Services,

*Defendant.*

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**STIPULATION AND PROPOSED ORDER**  
**REGARDING INTERVENTION AND AMENDMENT**

WHEREAS, on July 15, 2009, plaintiff, Kari C., filed, *inter alia*, her Class Action  
Complaint;

WHEREAS, on July 22, 2009, plaintiff-intervenor, April M., filed, *inter alia*, her Motion  
to Intervene as a Named Plaintiff and Amend the Class Definition, along with a Proposed  
Amended Class Action Complaint, *see* Dkt. No. 5 (Proposed Intervenor Complaint and Amended  
Complaint);

WHEREAS, on August 18, 2009, the Defendant submitted a letter to this Court stating  
that the parties agreed to extend Defendant's time to answer until September 25, 2009;

WHEREAS, the parties conferred in relation to the Motion to Intervene and the related  
Amended Complaint and decided to proceed in the most expeditious manner possible;

WHEREAS, Kathryn A. Muller, as Commissioner of the Steuben County Department of  
Social Services, ("Defendant") agrees to not oppose: (1) Plaintiff's Motion to Intervene as a

Named Plaintiff Proposed Plaintiff April M.; and (2) Plaintiff-Intervenor April M.'s Motion to Amend the Complaint and Amend the Class Definition.

THEREFORE, since there is no opposition to Plaintiff-Intervenor's Motion to Intervene as a Class Representative and to Amend the Class Definition and Complaint,

IT IS HEREBY STIPULATED, AGREED, AND REQUESTED, by and among the undersigned attorneys for the respective parties herein, that the Court grant Plaintiff-Intervenor April M.'s Motion to Intervene as a Class Representative and deem the Proposed Amended Complaint filed as of July 22, 2009.

IT IS FURTHER STIPULATED, AGREED, AND REQUESTED, by and among the undersigned attorneys for the respective parties herein, that Defendant's answer relate to the Amended Complaint filed July 22, 2009.

DATED:       Rochester, New York  
                  August 19, 2009

Respectfully submitted,

/s/Laura F. Redman

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Laura F. Redman  
National Center for Law and Economic Justice  
Attorney for Plaintiffs  
275 Seventh Avenue  
New York, New York 10001

/s/John F. Leyden

John F. Leyden  
Deputy County Attorney  
Steuben County Law Department  
Attorney for Defendant  
3 East Pulteney Square  
Bath, NY 14180